



151 WEST 42ND STREET 49TH FLOOR NEW YORK, NY 10036
T 212.307.5500 F 212.307.5598 www.Venable.com

August 23, 2024

Leonard L. Gordon

t 212.370.6252
f 212.307.5598
LLGordon@Venable.com

VIA ECF

Honorable Jennifer L. Rochon
Daniel Patrick Moynihan U.S. Courthouse
U.S. District Court for the Southern District of New York
500 Pearl St.
New York, NY 10007

Re: *Fed. Trade Comm'n v. Tapestry, Inc., et al.*, Case No. 1:24-cv-03109-JLR
(S.D.N.Y.)

Dear Judge Rochon:

This firm represents non-party LVMH Moët Hennessy Louis Vuitton Inc. ("LVMH US") and respectfully requests that the Court maintain under seal certain limited portions of Defendants' Opposition to the FTC's Motion for Preliminary Injunction and supporting declaration filed on August 20, 2024 (ECF Nos. 156–159) ("Opposition"), as those materials contain LVMH's confidential and competitively sensitive business information. This letter is submitted in further support of Defendants' letter-motion (ECF No. 155) that seeks an order sealing portions of their Opposition including those that are subject of LVMH US's current request.

On August 9, 2024, LVMH submitted a letter-motion (ECF No. 138) requesting that the Court maintain under seal certain limited portions of the FTC's Memorandum of Law in Support of Motion for Preliminary Injunction (ECF No. 126) ("Memorandum") and supporting declaration as those materials contain LVMH's confidential and competitively sensitive business information. In particular, LVMH US requested that three references in the FTC's Memorandum to the July 19, 2024 deposition testimony of LVMH US's corporate representative, Anish Melwani, remain redacted and that the transcript of that deposition testimony be filed publicly with the redactions as proposed in Exhibit B to LVMH US's letter-motion (ECF No. 138, Exhibit B). The Court has not yet ruled on those requests.

On August 20, 2024, counsel for Defendants notified LVMH US that Defendants' forthcoming Opposition would also include citations to the July 19, 2024 deposition of LVMH US's Anish Melwani and would attach the transcript of that deposition as an exhibit. On August 20, 2024, Defendants filed their Opposition under seal as well as a letter motion (ECF No. 155) seeking an Order sealing portions of the Opposition.



Hon. Jennifer L. Rochon
August 23, 2024
Page 2

LVMH US submits this letter-motion to renew its request that any references to the LVMH US deposition testimony in the public version of Defendants' Opposition remain redacted and that the transcript of the deposition testimony be filed publicly with the redactions proposed by LVMH US in Exhibit B to its August 9, 2024 letter-motion regarding the FTC's Memorandum. As LVMH US explained in its August 9, 2024 letter-motion, which LVMH US hereby incorporates by reference, the narrowly tailored redactions proposed by LVMH US contain confidential and competitively sensitive business information that relate to the following categories of information: 1) pricing, sales and marketing strategies and analyses; 2) financial information including revenue and profit; 3) product manufacturing and sourcing information; and 4) internal assessments and strategic considerations regarding sales channels and store locations. The privacy interests of non-party LVMH US and the fact that the disclosure of this confidential information could aid its competitors outweigh any presumption of public access to such information.

Accordingly, LVMH US respectfully requests that this letter-motion be granted in its entirety and an Order be issued prescribing that any references to LVMH US's deposition testimony in Defendants' Opposition remain redacted and that the transcript of the LVMH US deposition testimony be filed publicly with the redactions as proposed in LVMH US's August 9, 2024 letter-motion.

Respectfully submitted,

/s/ Leonard L. Gordon
Leonard L. Gordon

cc: All Counsel of Record (via ECF)